

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION - DETROIT

IN RE:

Patrick William McLeod  
Josephine Ann McLeod,  
Debtors

Bankruptcy Case No. 12-66747  
Honorable Marci B. McIvor  
Chapter 11

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Patrick William McLeod, and  
Josephine Ann McLeod

Adv. Pro. No. 13-04381

Plaintiffs

vs.

Alliance Catholic Credit Union  
f/k/a Michigan Catholic Credit Union,  
Defendant.

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**DEFAULT JUDGMENT**

This matter came before the Court upon the Application of Plaintiffs, Patrick William McLeod and Josephine Ann McLeod, for entry of a Default Judgment against Defendant in accordance with E.D. Mich. LBR 7055-1, and following the Clerk of the Court entering a Default against Defendant, Alliance Catholic Credit Union, f/k/a Michigan Catholic Credit Union, on May 10, 2013. The Court finds that Defendant is in default by virtue of its failure to timely plead or otherwise defend in the above captioned adversary proceeding; that Judgment should be entered in the above-captioned adversary proceeding against Defendant; and the Court being otherwise fully advised in the premises;

**NOW, THEREFORE, IT IS HEREBY ORDERED** that Judgment in favor of Plaintiffs, Patrick William McLeod and Josephine Ann McLeod, is entered in the above-captioned adversary proceeding against Defendant Alliance Catholic Credit Union, f/k/a Michigan Catholic Credit Union.

**IT IS FURTHER ORDERED** that the value of the real property commonly known as 280 Golfside Dr., Oxford, MI 48371 is insufficient to support Defendant's secured claim, and as such, its lien is unsecured.

**IT IS FURTHER ORDERED** that upon entry of a Chapter 11 Order Confirming Plan in bankruptcy case number 12-66747, the mortgage ("Mortgage") dated June 4, 2007, covering the following described property ("Property") situated in the Township of Oxford, Oakland County, State of Michigan, and further described as follows:

PARCEL ID NUMBER 04-21-401-045, WITH THE LEGAL DESCRIPTION OF LOT 45, BLUFFS OF WATERSTON, ACCORDING TO THE PLAT THEREOF RECORDED IN LIBER 273 ON PAGE(S) 21 THROUGH 27 OF OAKLAND COUNTY RECORDS.  
COMMONLY KNOWN AS 280 GOLFSIDE DR., OXFORD, MICHIGAN, 48371

recorded in the Oakland County Register of Deeds on June 15, 2007, Liber 32948 Pages 415 Oakland County Records, will be stripped and discharged.

**IT IS FURTHER ORDERED** that upon entry of a Chapter 11 Order Confirming Plan in bankruptcy case number 12-66747, the debtors may record a certified copy of this order, with a copy of the debtors' Chapter 13 Order Confirming Plan attached, with the Oakland County Register of Deeds, which will constitute and effectuate the discharge of the Mortgage.

**IT IS FURTHER ORDERED** that if the debtors fail to obtain a Chapter 11 Order Confirming Plan in bankruptcy case number 12-66747, this order does not affect the validity or enforceability of the Mortgage and may not be used in any subsequent bankruptcy case of the debtors either to compel the holder of the Mortgage to execute a discharge of the Mortgage, or to otherwise act as a discharge of the Mortgage.

**IT IS FURTHER ORDERED** that Defendant's claim shall be treated as a General Unsecured Claim under the terms of debtors' Chapter 11 Plan.

**Signed on May 10, 2013**

/s/ Marci B. McIvor

Marci B. McIvor  
United States Bankruptcy Judge